

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

KEVIN TRUDEAU,

Defendant.

CASE NO. 03-C-3904

Hon. Matthew F. Kennelly

**KEVIN TRUDEAU’S MOTION TO
DISSOLVE THE COURT’S INTERNATIONAL TRAVEL RESTRICTION**

Kevin Trudeau, by his counsel, respectfully moves this Court to dissolve its June 25, 2013, Order prohibiting Trudeau from traveling internationally “until further order of court.” ECF 700. Counsel for Trudeau and the FTC conferred on this issue on November 28, 2023. The FTC opposes this Motion. Nonetheless, the Court should grant this Motion for the following reasons:

1. **First**, the Court’s travel restriction no longer serves its purpose. The Court restricted Trudeau’s ability to travel internationally (“Defendant is ordered not to leave the United States until further order of court”) in June 2013 to secure his participation in “future hearings,” including those that resulted in Trudeau’s conviction and sentencing in April 2014 to 10 years imprisonment for criminal contempt. Trudeau served his sentence and was released in January 2022 pursuant to the First Step Act to begin his five-year period of supervised release. With the permission of his probation officer at that time, Trudeau re-acquired his U.S. passport in January 2022. There is no reason to believe that Trudeau is a flight risk or that he intends to miss any of his future court hearings.

2. **Second**, the international travel restriction is counterproductive. The Court has approved of Trudeau’s engagement in various business activities to earn funds to pay off his

remaining consumer redress debt. *See* ECF 1146, 1185. Trudeau's employment for GIN Unite, LLC, his fundraising activities to help pay for consumer redress, and building his businesses from which profits will also pay for consumer redress, all require travel. Over sixty percent of GIN Unite's members are located outside the United States. Trudeau must travel internationally for his job to maximize his employer GIN Unite's growth and thus earn higher bonuses for himself. Trudeau will pay seventy five percent of each such bonus toward consumer redress. To this end, the Court has already approved of Trudeau's travel outside the Northern District in several instances; trips that Trudeau completed without incident. As Trudeau explained in support of his successful motion to lift his domestic travel restriction (*see* ECF 1199), not being able to freely travel hinders Trudeau's ability to engage in the same business activities that the Court has approved and that it expects Trudeau to pursue so that he can generate consumer redress funds. *See* ECF 1198, at Ex. A ¶ 2. Indeed, before the domestic travel restriction lifted, Trudeau lost a couple of business opportunities due to his inability to travel on short notice and concerns generated by his explanation that he could not freely travel to meetings. *Id.* at ¶ 3.

The ongoing international travel restriction is hampering Trudeau employer GIN Unite's ability to sell and promote its revenue-generating conferences abroad because Trudeau cannot attend them. Member conferences are GIN Unite's lifeblood. In addition to the international travel restriction's negative impact on ticket sales, it is negatively impacting GIN Unite's overall business as it sends GIN Unite's members a negative message about Trudeau and his future ability to interact with them. The less profitable GIN Unite is, the smaller its bonus payments (if any) to Trudeau (if any), and the less funds Trudeau can pay toward consumer redress. Similar concerns apply to Trudeau's own business of Trudeau Consulting, Training, and Coaching and Trudeau's work for the Kevin Trudeau Fan Club.

3. **Third**, the travel restriction has no proper remaining role in this civil contempt proceeding because there is nothing Trudeau can do to “purge” himself of this restriction. *United Mine Works v. Bagwell*, 312 U.S. 821, 829 (1994) (coercive sanctions must afford the contemnor the opportunity to “purge”); *see also Gompers v. Buck’s Stove Range Co.*, 221 U.S. 418, 443 (1911) (a contemnor must be afforded the keys to his release).

4. **Fourth**, travel bans are disfavored. The Supreme Court has recognized that under various constitutional provisions, including the privileges and immunities clauses of Article IV and the Fourteenth Amendment, ordinary citizens have a protected right to travel. *See, e.g., Saenz v. Roe*, 526 U.S. 489, 498-504 (1999).

5. **Fifth**, Trudeau’s travel privileges already are subject to approval by his probation officer pursuant to the terms of his “Standard Conditions of Supervision.” *See* No. 1:10-cr-100886, ECF 173 at 3, entered April 3, 2014. No reason exists to believe that Trudeau’s probation officer cannot manage these privileges. Notably, Trudeau’s probation officer “**supports the previous [international] travel ban being lifted**” in this civil matter. *See* Ex. A (emphasis in original). If permitted to travel internationally, Trudeau would continue to follow the practice of reporting in advance to his probation officer all required information such as his travel dates, destination, phone numbers, airline ticket reservations, hotel or other accommodation information, etc. Trudeau’s international travel privileges should be left to the sound discretion of his probation officer.

Conclusion

The circumstances here have changed dramatically since the international travel restriction entered in 2013. Trudeau is purging his contempt by working hard to pay down his redress obligation. As demonstrated by the Court’s June 6 Order choosing not to coercively incarcerate Trudeau and the orders that followed allowing Trudeau to travel domestically so that he can engage

in lawful businesses that will raise consumer redress funds, the ongoing international travel restriction also serves no remedial purpose. This Court, therefore, should enter the proposed order attached hereto as Exhibit B and submitted herewith at Proposed_Order_Kennelly@ilnd.uscourts.gov that (a) dissolves the June 25, 2013, international travel restriction (*see* ECF 700); (b) permits Trudeau to travel internationally on the condition that he provide his probation officer in advance of any such travel with his intended travel dates, destination, phone numbers, airline ticket reservations, hotel or other accommodation information, etc.; and (c) grants Trudeau any further relief that the Court deems proper.

Date: November 28, 2023

Respectfully submitted,

By: /s/ Giel Stein
Giel Stein

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CERTIFICATE OF SERVICE

I, Christine Pfeiffer, certify that I served the foregoing KEVIN TRUDEAU'S MOTION TO DISSOLVE THE COURT'S INTERNATIONAL TRAVEL RESTRICTION on all parties of record via the Court's CM/ECF filing system on November 28, 2023.

/s/ Christine Pfeiffer
Christine Pfeiffer

EXHIBIT A

From: Leslie Culp <Leslie_Culp@ilnp.uscourts.gov>
Sent: Tuesday, November 28, 2023 9:28 AM
To: Stein, Giel
Cc: Priscilla Lococo
Subject: RE: Trudeau: Permission to travel internationally

[External Message]

Hi Giel,

Thanks for reaching out. Feel free to reflect that probation supports the previous travel ban being lifted, with the understanding that Mr. Trudeau will provide probation with travel information (i.e., dates, itinerary, and names of those he is traveling/staying with) prior to any such travel.

Thank you again.

Leslie A. Culp
U.S. Probation Officer
230 S Dearborn St.
Suite 3400
Chicago, IL 60604
(Office): 312-435-5720
(Mobile): 773-230-1482



From: Stein, Giel <gstein@clarkhill.com>
Sent: Monday, November 27, 2023 1:07 PM
To: Leslie Culp <Leslie_Culp@ilnp.uscourts.gov>
Subject: Trudeau: Permission to travel internationally

CAUTION - EXTERNAL:

Officer Culp:

Good afternoon. I hope this note finds you after a happy and safe Thanksgiving.

I write as Kevin Trudeau's counsel to seek your support for our upcoming motion in Kevin's civil case to lift that Court's 2013 ban on Kevin's international travel. Given all that has happened since the ban went into effect, and Kevin's need to travel for business so he can raise consumer redress funds to pay his civil judgment, we do not think that the international travel ban makes any further sense. Please confirm if I can represent in our

motion that you support Kevin's request to lift the international travel ban. He will of course continue to report to you in advance of any trips.

Thank you, and I am available to discuss this request at your convenience.
Giel

Giel Stein

Member

Clark Hill

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EXHIBIT B

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

KEVIN TRUDEAU,

Defendant.

CASE NO. 03-C-3904

Hon. Matthew F. Kennelly

[PROPOSED] ORDER

Having reviewed Kevin Trudeau's Motion to Dissolve the Court's International Travel Restriction, it is hereby ordered that Trudeau's Motion is granted. This Court's June 25, 2013, Order prohibiting Trudeau from traveling internationally "until further order of court" (ECF 700) is dissolved to permit Trudeau to travel internationally without requiring advance approval from this Court, provided that (a) Trudeau complies with all conditions of his supervised release that apply to travel for so long as such conditions remain in effect; and (b) Trudeau continues to follow the practice of reporting to his probation officer before any travel all required information such as his travel dates, destination, phone numbers, airline ticket reservations, and hotel or other accommodation information.

So ordered:

ENTER:

**Matthew F. Kennelly
United States District Judge**

DATE: **November __, 2023**